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May 11, 2018

VIA ECF

The Honorable Kiyo Matsumoto
United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Greebel, S1 15 Cr. 637 (E.D.N.Y.) (KAM)

Dear Judge Matsumoto:

On behalf of Evan Greebel, we again respectfully request that the Court grant our first request to postpone the sentencing to allow us to fully prepare and provide as much information as we can to the Court given the absence of any showing of prejudice to the Government.

The government's reasons for opposing our first request for an adjournment are without merit. The government offers no explanation as to why it cannot adjourn the sentencing as we requested due to their "work and vacation schedules." We did not propose a specific date in order to be able to accommodate their schedules. The government's criticism of Mr. Mastro is unfair. After a lengthy trial, Mr. Mastro wants to be present for Mr. Greebel's sentencing, and Mr. Mastro is unavailable on June 26 because he will be out of town for work, not vacation. The government argues that we have had enough time to prepare for sentencing for June 26, but that disregards our good faith representation to the Court that we need more time to ensure we collect all letters and materials. Indeed, it ignores the fact that Mr. Shkreli and his counsel were given more time to prepare for sentencing—whereas Mr. Shkreli's sentencing took place approximately 7 months and 5 days after his conviction, Mr. Greebel's currently scheduled sentencing date is approximately 6 months after his conviction.

The government's opposition to allowing us to file our loss submission after the Probation Department considers our objections does not make sense. Whether our objections are taken into account in the body of the PSR or the addendum does not matter. What we want is an opportunity to demonstrate to the Probation Department that the loss amounts should be lower and, should Officer Michelle Murphy agree in an addendum, we will then be better positioned to make our submission on loss amounts to the Court. We would only add that we

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read the Court's order in good faith and believed that we had more time to prepare our submission on loss amounts. Therefore, we respectfully ask the Court to postpone that date to, at a minimum, May 21, the same date that our objections to the PSR are due, which will enable us to fully and fairly prepare our submission.

We know the Court recognizes that an individual's sentencing is one of his/her most important days in life. For Mr. Greebel, his wife, children, loved ones, and friends, we respectfully ask the Court to grant our first request to postpone the sentencing so we are fully prepared. Our client, Mr. Greebel, and his family and friends should not suffer because of the government's "work and vacation schedules," and they should not suffer from our inability to be able to get all the letters and materials completed by the currently scheduled sentencing date.

We thank the Court for its attention and consideration

Respectfully submitted,

/s/ Mylan Denerstein

Mylan L. Denerstein